

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

| | | |
|------------------------------|---|--------------|
| ROBERT H. KOONS, JR. and | : | |
| SALLY KOONS | : | |
| | : | |
| Plaintiffs, | : | |
| | : | |
| v. | : | CIVIL ACTION |
| | : | 02-CV-2739 |
| PIEDMONT HAWTHORNE AVIATION, | : | |
| HAWTHORNE A-B-E, INC. | : | |
| n/k/a HAWTHORNE AIRPORT | : | |
| SERVICES, INC., and PIEDMONT | : | |
| HAWTHORNE HOLDINGS, INC. | : | |
| Defendants. | : | |

**DEFENDANTS' RESPONSE TO PLAINTIFFS' SUPPLEMENTAL REASONS
IN SUPPORT OF PLAINTIFFS' MOTION FOR JUDGMENT
NOTWITHSTANDING THE VERDICT OR IN THE ALTERNATIVE A NEW TRIAL**

Defendants, Piedmont Hawthorne Aviation, Hawthorne A-B-E, Inc. n/k/a Hawthorne Airport Services, Inc., and Piedmont Hawthorne Holdings, Inc. (hereinafter "Piedmont"), by and through their undersigned counsel, Cozen O'Connor, hereby respond to Plaintiffs' Supplemental Reasons in Support of Plaintiffs' Motion for Judgment Notwithstanding the Verdict or in the Alternative a New Trial, as follows:

27. Denied. The averments of this paragraph constitute conclusions of law to which no response is required and therefore, said averments are denied. By way of further answer, the wing needed to be intact at trial so that the jurors could look into the wing and determine whether the wrinkle could be seen. Plaintiffs had the jurors look into the wing during their case in chief and therefore, it was unnecessary for Defendants to have the jurors look into the wing during Defendants' case in chief.

28. Denied. The averments of this paragraph constitute conclusions of law to which no response is required and therefore, said averments are denied. By way of further answer, the averments of this paragraph are irrelevant, as Plaintiffs never pleaded this issue.

WHEREFORE, for all the reasons set forth above, Defendants respectfully request that this Honorable Court deny Plaintiffs' Supplemental Reasons in Support of Motion for Judgment Notwithstanding the Verdict or in the Alternative, a New Trial.

Respectfully submitted,

COZEN O'CONNOR

BY: _____

Ann Thornton Field, Esquire
Attorney I.D. No. 52130
Sara Anderson Frey, Esquire
Attorney I.D. No. 82835
1900 Market Street
Philadelphia, PA 19103
(215) 665-2000

Attorneys for Defendants

Date: January 5, 2004

CERTIFICATE OF SERVICE

I, Sara Anderson Frey, Esquire hereby certify that a true and correct copy of Defendants' Response to Plaintiffs' Supplemental Reasons in Support of Plaintiffs' Motion for Judgment Notwithstanding the Verdict or in the Alternative a New Trial was served this 5th day of January, 2004 by first class mail upon the following:

Arthur Wolk, Esquire
WOLK & GENTER
1710-12 Locust Street
Philadelphia, PA 19103

Sara Anderson Frey, Esquire